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Identical letters dated 2 November 2009 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instruction from my Government, I have the honour to transmit herewith a letter which represents the position of the Syrian Arab Republic on the tenth semi-annual report of the Secretary-General on the implementation of Security Council resolution 1559 (2004) (S/2009/542) (see annex).

I would highly appreciate if the present letter and its annex were circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

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Annex to the identical letters dated 2 November 2009 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

Upon instructions from my Government, I have the honour to transmit herewith identical letters addressed to the Secretary-General and the President of the Security Council, conveying the position of the Syrian Arab Republic in respect of the tenth semi-annual report of the Secretary-General on the implementation of Security Council resolution 1559 (2004).

We believe that it is no longer acceptable for the Secretary-General to introduce the Syrian Arab Republic into his reports on the implementation of resolution 1559 (2004) after it has met all the obligations incumbent on it under the resolution by withdrawing its military forces and intelligence apparatus from Lebanese territory. This was confirmed in a statement issued by the President of the Security Council (S/PRST/2005/17) and by the relevant reports of the Secretary-General, the latest of which is the tenth semi-annual report. Any outstanding provisions of the resolution are a Lebanese matter and have nothing to do with Syria. The Syrian Arab Republic supported the sessions of the Lebanese National Dialogue, held in Doha, which culminated in the signature of the Doha Agreement by the Lebanese parties and the League of Arab States. In that connection, Syria reiterates its support for any agreement concluded by the Lebanese that strengthens their national unity and is conducive to the development of a defensive strategy to protect Lebanon from Israeli threats. We believe that the Secretariat should also encourage such a consensus rather than create problems that give the impression that Lebanon is under the trusteeship of its Special Representatives.

It would have been more useful if the report had clearly cited Israel as the party that has not implemented resolution 1559 (2004). Moreover, Israel continues to violate the sovereignty of Lebanon by air, land and sea. According to a statement recently made by one of its officials, Israel considers itself to be above international law and not subject to the resolutions of the United Nations. Instead, the report refers to Israel obliquely, despite eyewitness accounts and countless Lebanese complaints that have been officially documented by the United Nations and the United Nations Interim Force in Lebanon and by reports of the Secretary-General to the Security Council. It is clear that implementation of the outstanding provisions of resolution 1559 (2004) requires the Security Council to bring pressure to bear on Israel in order to compel it to withdraw from the Lebanese territory it continues to occupy, including the Shab'a Farms, the Kafr Shuba hills and the northern part of the village of Ghajar, and to cease its repeated violations of Lebanese sovereignty.

The demarcation of the Syrian-Lebanese borders is a bilateral matter and a sovereign prerogative of the two countries, in which no party has the right to interfere. We would like to stress that the real obstacle to the demarcation of the borders is the continued occupation by Israel of the Syrian Golan and the Shab'a Farms. If the international community wishes to be of assistance in this matter, it should bring pressure to bear on Israel to end its occupation.

The report reiterates false assertions regarding arms smuggling across the borders. Those assertions contradict the statements of senior Lebanese officials and the reports of the Lebanon Independent Border Assessment Team, which confirmed that no such activities have taken place. The aim behind the reiteration of such assertions is to distract attention from Israel's daily violations of Lebanese territorial waters and airspace, its infiltration of Lebanese territory and its spying operations, which threaten Lebanon's security and stability.

The Palestinian presence in Lebanon is governed by the 1969 Cairo Agreement, which was concluded by the Lebanese Republic and the Palestine Liberation Organization. With respect to the Palestinian positions located along the Syrian-Lebanese border that are noted in the report, we reiterate that Syria has nothing to do with those positions, which lie completely in Lebanese territory. We also reiterate that the primary reason for the Palestinian presence in Lebanon and other neighbouring States, including Syria, is the continued occupation by Israel of Palestinian territory and its refusal to implement United Nations resolutions, including General Assembly resolution 194 (III), which guarantees the Palestine refugees the right to return to the homes from which they were expelled by occupation forces.

The Syrian Arab Republic emphasizes that the mixing of elements of Security Council resolutions 1559 (2004), 1680 (2006) and 1701 (2006) exceeds the mandates of the Secretary-General's Special Envoys and is unjustified. It also provides Israel with a pretext to continue to violate Lebanon's sovereignty and resolution 1559 (2004), as well as other relevant resolutions. We would therefore like to affirm that the insistence on the introduction of the Syrian Arab Republic into these reports proves what we have so assiduously attempted to bring to the attention of the Secretary-General and the Security Council, namely, that the international officials responsible for the implementation of resolution 1559 (2004) have demonstrated a lack of impartiality, overstepped their mandates and misled the Security Council. This requires the Council to impose constraints on those officials in order to ensure that they do not thus overstep their mandates.